

MINUTES

**CITY OF HIALEAH GARDENS
TUESDAY, January 03, 2012
CITY COUNCIL CHAMBERS
10001 NW 87 AVENUE**

- 1. Call to Order:** Chairman Garcia called the meeting to order at 7:30 p.m.
- 2. Roll Call:** Present were Chairman Luciano Garcia, Councilman Rolando Piña, Councilman Jorge A. Merida, Councilman Elmo L. Urra and Councilman Jorge Gutierrez. Also present were Mr. Charles A. Citrin, City Attorney, Assistant City Attorney Aida Martinez-Ruiz and Mayor Yiozet De La Cruz.
- 3. Invocation:** Chairman Garcia gave the invocation.
- 4. Pledge of Allegiance:** Mayor De La Cruz led the Pledge of Allegiance.
- 5. Deletions / Emergency Additions:** None were offered.
- 6. Review of Minutes:** December 20, 2011. Chairman Piña made a motion to approve the minutes of December 20, 2011, seconded by Councilman Merida. The motion was unanimously approved.
- 7. Public Comments:** None were offered.

8. Proposed Resolutions:

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS AUTHORIZING THE ENTERING INTO AN AGREEMENT WITH LOOK ADVERTISING, LLC FOR THE INSTALLMENT OF ADVERTISING GARBAGE CONTAINERS IN DESIGNATED LOCATIONS THROUGHOUT THE CITY; AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH LOOK ADVERTISING, LLC; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. Mayor De La Cruz asked that this item be tabled as it was under legal review. Chairman Garcia made a motion to table the item, seconded by Councilman Merida. The motion was unanimously approved.

- B) RESOLUTION OF THE CITY OF HIALEAH GARDENS RATIFYING THE ENTERING INTO AN AGREEMENT WITH ACT TECHNOLOGY GROUP USA, INC. FOR THE PURCHASE OF THE WEB-BASED MANAGEMENT SYSTEM GECOR; THE MAYOR IS AUTHORIZED TO EXECUTE AN AGREEMENT WITH ACT TECHNOLOGY GROUP USA, INC.; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin stated that Ms. Aida Martinez-Ruiz would be sitting on the dais as counsel for this resolution. His law firm represents Act Technology Group USA and had not participated in the negotiations regarding this item. Ms. Martinez-Ruiz proceeded to read the full title of the resolution into the record. Mayor De La Cruz informed that the technology provided by GECOR was being used on a trial basis for the management of the City's complaints and code compliance. He reported that the system had been working very effectively and the City would now be entering into a retroactive agreement with the firm. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

- C) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE SIGNING AND SUBMISSION OF A GRANT APPLICATION AND SUPPORTING DOCUMENTS AND ASSURANCES TO THE FLORIDA DEPARTMENT OF TRANSPORTATION, AND ACCEPTANCE OF A GRANT AWARD FROM THE DEPARTMENT; PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin returned to the dais and read the full title of the resolution into the record. Mayor De La Cruz reported that the City would be submitting a grant application for the purchase of a vehicle to be used by the Senior Center. If granted the City would be responsible for 10% of the purchase price. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

9. Second Reading / Public Hearing for consideration and final adoption of the following ordinances:

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR RO-MA HOLDINGS, LLC FOR A FAMILY DOLLAR STORE, CONCERNING PROPERTY LEGALLY DESCRIBED AS: TRACT A, OF LONDON ESTATES COMMERCIAL CENTER, ACCORDING TO THE MAP PLAT THEREOF, AS RECORDED IN PLAT BOOK 133, AT PAGE 80 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.; FOLIO: 27-2033-009-0010, APPROXIMATE LOCATION: NW CORNER OF NW 112TH STREET AND NW 87TH COURT, HIALEAH GARDENS, FL, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 5-0; P&Z Vote: 3-0)

Mr. Citrin swore in all those who would be giving testimony on the agenda for public hearing, he then read the full title of the ordinance into the record. The applicant was not present; therefore Chairman Garcia made a motion to table the item, seconded by Councilman Merida. The motion was unanimously approved by individualize voice vote. **(5-0)**

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR LAKE GARDEN CENTER, CONCERNING PROPERTY LEGALLY DESCRIBED AS: PARENT TRACT. TRACT "M" AND THE SOUTHEASTERLY 144.00' OF TRACT "N" OF "SHOMA COMMERCIAL" ACORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 160 AT PAGE 69 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY FLORIDA. PARCEL # 1. COMMENCE AT THE MOST WESTERLY CORNER OF TRACT "N" OF "SHOMA COMMERCIAL" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 160 AT PAGE 69 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY FLORIDA. ALSO BEING ON THE NORTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 25 A.K.A. OKEECHOBEE RD., THENCE RUN S50°59'15"E

ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID STATE ROAD NO. 25 FOR A DISTANCE OF 482.09 FEET, TO THE POINT OF BEGINNING (POB), THENCE RUN N39°00'45"E FOR A DISTANCE OF 332.60 FEET TO A POINT BEING ON THE NORTHERLY LINE OF SAID TRACT "N" OF AFOREMENTIONED SUBDIVISION, THENCE RUN S50°46'28"E ALONG THE DIVIDING LINE OF TRACTS "N" AND "P" OF AFOREMENTIONED SUBDIVISION FOR A DISTANCE OF 144.00 FEET, THIS POINT BEING THE NORTHERLY CORNER OF TRACT "M", THENCE RUN S50°46'28"E ALONG THE DIVIDING LINE OF TRACTS "M" AND "P" OF AFOREMENTIONED SUBDIVISION FOR A DISTANCE OF 106.00 FEET, THENCE RUN S39°00'45"W TO A POINT BEING ON THE NORTH RIGHT OF WAY LINE OF STATE ROAD NO.25 A.K.A. OKEECHOBEE RD. FOR A DISTANCE OF 331.68 FEET, THENCE RUN N50°59'15"W ALONG THE NORTH RIGHT OF WAY LINE OF AFOREMENTIONED STATE ROAD NO.25 A DISTANCE OF 250.00 FEET TO THE POINT OF BEGINNING (P.O.B.) PROPERTY CONTAINS 83,035 SQUARE FEET MORE OR LESS OR 1.910 ACRES MORE OR LESS. PARCEL # 2. COMMENCE AT THE MOST WESTERLY CORNER OF TRACT "N" OF "SHOMA COMMERCIAL" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 160 AT PAGE 69 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY FLORIDA. ALSO BEING ON THE NORTH TO A POINT BEING ON THE NORTH RIGHT OF WAY LINE OF STATE ROAD NO.25 A.K.A. OKEECHOBEE RD. FOR A DISTANCE OF 328.71 FEET, THENCE RUN N50°59'15"W ALONG THE NORTH RIGHT OF WAY LINE OF AFOREMENTIONED STATE ROAD NO.25 A DISTANCE OF 179.16 FEET TO THE POINT OF BEGINNING (P.O.B.) OF SAID PARCEL #3 PROPERTY CONTAINS 59,034 SQUARE FEET MORE OR LESS OR 1.360 ACRES MORE OR LESS. PARCEL # 4 COMMENCE AT THE MOST SOUTHERLY CORNER OF TRACT "M" OF "SHOMA COMMERCIAL" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 160 AT PAGE 69 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY FLORIDA. ALSO BEING ON THE NORTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 25 A.K.A. OKEECHOBEE RD., THENCE RUN N50°59'15"W ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID STATE ROAD NO. 25 FOR A DISTANCE OF 176.18 FEET TO THE POINT OF BIGINNING, THENCE RUN N39°00'45"E FOR A DISTANCE OF 328.71 FEET TO

A POINT BEING ON THE NORTHERLY LINE OF SAID TRACT "M" OF AFOREMENTIONED SUBDIVISION, THENCE RUN S50°29'02"E ALONG SAID NORTHERLY LINE FOR A DISTANCE OF 11.84 FEET, THENCE RUN S02°37'33"E ALONG THE DIVIDING LINES OF TRACT "L" AND TRACT "M" OF AFOREMENTIONED SUBDIVISION A DISTANCE OF 40.46 FEET, THENCE RUN S50°29'02"E THENCE RUN ALONG THE DIVIDING LINES OF TRACT "L" AND TRACT "M" OF AFOREMENTIONEDSUBDIVISION A DISTANCE OF 32.38 FEET, THENCE RUN N85°00'07"E ALONG THE DIVIDING LINES OF TRACT "L" AND TRACT "M" OF AFOREMENTIONED SUBDIVISION A DISTANCE OF 18.96 FEET, THENCE RUN S83°55'34"E ALONG THE DIVIDING LINES OF TRACT "L" AND TRACT "M" OF AFOREMENTIONED SUBDIVISION A DISTANCE OF 109.13 FEET, TO THE MOST EASTERLY CORNER OF SAID TRACT "M" , THENCE RUN S39°02'03"W ALONG THE DIVIDING LINES OF SAID TRACT "M" AND TRACT "7" OF PLAT BOOK 2 AT PAGE 68 A.K.A. FOLIO # 27-2030-001-0011 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY FLORIDA, FOR A DISTANCE OF 370.60 FEET TO THE POINT OF COMMENCEMENT (P.O.C.), THENCE RUN N50°59'15"W ALONG THE NORTH RIGHT-OF-WAY LINE OF STATE ROAD NO.25 A DISTANCE OF 176.18 FEET TO THE POINT OF BEGINNING (P.O.B.) PROPERTY CONTAINS 57,327 SQUARE FEET MORE OR LESS OR 1.32 ACRES MORE OR LESS; FOLIO: 27-2030-014-0135, APPROXIMATE LOCATION: NW WEST OKEECHOBEE ROAD AND N.W. 107TH AVENUE, HIALEAH GARDENS, FL., PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 5-0; P&Z Vote: 3-0)

Mr. Citrin read the full title of the ordinance into the record. Ms. Rosa Ramos Bloto was present for the applicant. Mrs. Mirtha Gonzalez, Chief Zoning Official, came forward and gave staff recommendation for approval and reminded the applicant that the parcel needed to be platted. Chairman Garcia opened the public hearing at 7:43 p.m. No one came forward therefore he closed the public hearing at 7:43 p.m. and made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved by voice vote. **(5-0)**

- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN AND VARIANCES FOR LIEBHERR CRANES, INC. D/B/A LIEBHERR NENZING CRANE TO PERMIT CONCERNING PROPERTY LEGALLY DESCRIBED AS: PARCEL 1: THE WEST ½ OF TRACT 13,

FLORIDA FRUIT LAND CO. SUBDIVISION, IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA TOGETHER WITH: PARCEL 2: TRACT 14, LESS THE EAST $\frac{1}{2}$ AND LESS THAT PART COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, SAID CORNER LYING SOUTH $89^{\circ}29'43''$ WEST, 2637.31 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 19; THENCE RUN SOUTH $2^{\circ}33'57''$ EAST (BEARINGS ARE BASED ON THE FLORIDA STATE SYSTEM OF PLANE COORDINATES), 659.98 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION TO THE NORTHWEST CORNER OF TRACT 14, OF SAID SUBDIVISION, THENCE NORTH $89^{\circ}29'39''$ EAST, 35.02 FEET ALONG THE NORTH BOUNDARY OF SAID TRACT 14 TO A POINT OF INTERSECTION WITH THE EXISTING EAST LINE OF DADE COUNTY RIGHT OF WAY AND THE POINT OF BEGINNING; CONTINUE THENCE NORTH $89^{\circ}29'39''$ EAST, 97.00 FEET ALONG SAID NORTH BOUNDARY TO A POINT; THENCE SOUTH $18^{\circ}10'26''$ EAST, 273.74 FEET TO A POINT OF INTERSECTION WITH SAID EXISTING EAST RIGHT OF WAY LINE; THENCE NORTH $2^{\circ}33'57''$ WEST, 259.49 FEET ALONG SAID EXISTING EAST RIGHT OF WAY LINE TO THE POINT OF BEGINNING; FLORIDA FRUIT LAND CO. SUBDIVISION, SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. TOGETHER WITH: PARCEL 3: THAT PART OF: THE WESTERLY 35.00 FEET OF TRACT 14, FLORIDA FRUIT LANDS COMPANY SUBDIVISION, NO. 1, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 17, IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 68, PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING ALSO AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SHEET 5 OF 7, SECTION 87005-2312; MOST RECENT UPDATE REVISION OCTOBER 1, 2003, BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, SAID CORNER LYING SOUTH $89^{\circ}29'43''$ WEST, 2637.31 FEET FROM THE NORTHEAST CORNER

OF SAID SECTION 19, RUN THENCE SOUTH 2°33'57" EAST, 659.98 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION TO THE NORTH WEST CORNER OF SAID TRACT 14 OF SAID SUBDIVISION; THENCE NORTH 89°10'26" EAST, 132.02 FEET ALONG THE NORTH BOUNDARY OF SAID TRACT 14 TO A POINT OF INTERSECTION WITH THE EXISTING EAST LIMITED ACCESS RIGHT-OF-WAY LINE OF STATE ROAD 821; THENCE SOUTH 18°10'26" WEST ALONG SAID RIGHT-OF-WAY LINE, 273.74 FEET TO THE POINT OF BEGINNING; CONTINUE THENCE SOUTH 02°33'57" EAST 70.50 FEET; THENCE SOUTH 89°29'37" WEST, 35.02 FEET; THENCE NORTH 24°14'53" EAST, 77.58 FEET TO THE POINT OF BEGINNING. TOGETHER WITH: PARCEL 4: THAT PART OF: TRACT 20, FLORIDA FRUIT LANDS COMPANY SUBDIVISION NO. 1, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 17 IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 68, MIAMI-DADE COUNTY, FLORIDA, BEING ALSO A POINT OF PARCEL 125.1R AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SHEET 5 OF 7, SECTION 87005-2312; MOST RECENT UPDATE REVISION OCTOBER 1, 2003._COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST SAID CORNER LYING SOUTH 89°29'43" WEST, 2637.31 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 19, RUN THENCE SOUTH 2°33'57" EAST, 659.98 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION TO THE NORTHWEST CORNER OF TRACT 14 OF SAID SUBDIVISION; THENCE NORTH 89°29'39" EAST, 132.02 FEET ALONG THE NORTH BOUNDARY OF SAID TRACT 14 TO A POINT OF INTERSECTION WITH THE EXISTING EAST LIMITED ACCESS RIGHT-OF-WAY LINE OF STATE ROAD 821; THENCE SOUTH 18°10'26" WEST ALONG SAID RIGHT-OF-WAY LINE, 273.74 FEET; CONTINUE THENCE SOUTH 02°33'57" EAST 70.50 FEET; THENCE SOUTH 89°29'37" WEST, 35.02 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 02°33'57" EAST, 329.99 FEET; THENCE SOUTH 89°29'48" WEST ALONG THE SOUTH LINE OF SAID TRACT 20, 114.69 FEET; THENCE NORTH 16°48'45" EAST, 345.43 FEET TO THE POINT OF BEGINNING. APPROXIMATE LOCATION: HOMESTEAD EXTENSION OF FLORIDA TURNPIKE (HEFT)

AND THEORETICAL NW 110 AVENUE, AND NORTH OF THEORETICAL NW 150TH STREET AND SOUTH OF THEORETICAL NW 152ND STREET, HIALEAH GARDENS, FL. FOLIOS: 27-2019-001-0220, 27-2019-001-0150 and 27-2019-001-0160, PROVIDING FOR CONDITIONS; EFFECTIVE DATE. (TRC Vote: 5-0; P&Z Vote: 3-0)

Mr. Citrin read the full title of the ordinance into the record. Mr. Javier Vazquez was present for the applicant. Mrs. Mirtha Gonzalez, Chief Zoning Official, came forward and gave staff recommendation for approval based on compliance with conditions and the provision of a covenant for the parking variance. With regard to the accessory structures that were approved for this application, Mrs. Gonzalez commented that when the zoning code was changed there was no industrial land use in this zoning district and no provision had been made for accessory structures. This will be addressed and included in the City code. Chairman Garcia commented on the parking variance. Mr. Vazquez introduced Mr. Steven Sosa and Mr. Carlos Martinez who were also present. He proceeded to give a brief description of the project which responded to Chairman Garcia's concerns regarding the parking variance. The applicant is providing a covenant which ties the parking variance exclusively to Liebherr Nenzing and any future owner would have to comply with the applicable parking requirements of the City. Mr. Vazquez also mentioned that after review by Mr. Citrin, modifications to the covenant, that were not of any substantive nature, needed to be made to the executed covenant. Because Liebherr Nenzing is the contract purchaser and will not be closing until 30 to 60 days from now, the changes have to be acknowledged by the current owner and replacement pages submitted providing for the declaration of restriction. Mr. Vazquez is asking the council for approval subject to submittal of finalized covenant within the next fourteen days. Chairman Garcia opened the public hearing. Chairman Garcia opened the public hearing at 8:00 p.m. No one came forward therefore he closed the public hearing at 8:00 p.m. and made a motion to approve subject to submittal of the finalized covenant. Councilman Merida seconded the motion and it was unanimously approved by individualized voice vote. **(5-0)**

- D) ORDINANCE OF THE CITY OF HIALEAH GARDENS, MIAMI-DADE COUNTY, FLORIDA, ADOPTING A SMALL SCALE LAND USE PLAN AMENDMENT CHANGING THE LAND USE FROM MER (MEDIUM DENSITY RESIDENTIAL) TO BU (GENERAL BUSINESS) ZONING: B-2, FOR THE APPROXIMATELY 3.8 ACRES PARCEL. PROPOSED COMMERCIAL SITE LEGAL DESCRIPTION: TRACT "C", OF VICENZA AT HIALEAH GARDENS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 169, AT PAGE 13, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. FOLIO #: 27-2033-001-0330 APPROXIMATE LOCATION: BETWEEN NW 92 – 97TH

AVENUE HIALEAH GARDENS CONNECTOR AND NW 93RD
 PLACE AND BETWEEN NW 121 STREET AND NW 119
 TERRACE, HIALEAH GARDENS, FL., PROVIDING FOR
 SEVERABILITY, PROVIDING FOR AN EFFECTIVE DATE.
(TRC Vote: 6-0; P&Z Vote: 3-0)

Mr. Citrin read the full title of the ordinance into the record. Mr. Shahin Etessam was present for the applicant. Mrs. Mirtha Gonzalez, Chief Zoning Official came forward and gave staff recommendations. The applicant is proposing to construct a commercial site and is requesting that the property be re-designated on the Land Use Plan Map from MER to BU and zoning B-2. This is a small scale amendment because the property is less than 10 acres. Chairman Garcia opened the public hearing at 8:05 p.m. No one came forward therefore he closed the public hearing at 8:05 p.m. and made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote. **(5-0)**

- E) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, GRANTING VARIANCES FOR WEST GARDEN PLAZA LLC TO PERMIT TWO (2) PYLONS SIGNS AT NW 95TH STREET (NORTH ENTRANCE) AND AT W. OKEECHOBEE RD. (SOUTH ENTRANCE). LOCATION: 8040 N.W. 95 STREET, HIALEAH GARDENS, FL., FOLIO #: 27-2030-014-0131, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. **(TRC Vote: 6-0; P&Z Vote: 3-0)**

Mr. Citrin read the full title of the ordinance into the record. The applicant was not present therefore Chairman Garcia made a motion to table the item, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote **(5-0)**

Tabled Item 9A

Mr. Daniel Abreu, the applicant for Item 9A arrived at the meeting. Chairman Garcia made a motion to remove the item from the table, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote **(5-0)**. Mrs. Mirtha Gonzalez, Chief Zoning Official came forward and gave staff recommendation for approval. Chairman Garcia opened the public hearing at 8:08 p.m. No one came forward therefore he closed the public hearing at 8:08 p.m. and made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote. **(5-0)**

10. City Attorney's Report – No comments

11. **Mayor's Report – Miscellaneous** – No comments
12. **Council Members Concerns / Reports / Board Appointments:** Chairman Garcia wished everyone a Happy New Year and acknowledged the stuents from Mater Academy High School who were in the audience.
13. **Adjournment** – The meeting was adjourned at 8:10 p.m.

Respectfully submitted by:

Maria L. Joffee
City Clerk

Any person desiring to appeal any decision made by the Council with respect to any matter considered at this meeting will need a record of the proceedings, and it will be their responsibility to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."

SCHEDULE OF MEETINGS

CITY COUNCIL

Tuesday, February 7, 2012, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, February 6, 2012, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, February 2, 2012, 11:30 A.M.

WATER AND SEWER BOARD

Wednesday, February 22, 2012, 7:00 P.M.

POLICE PENSION BOARD

T.B.A.